

Check the box next to the best description of your cause of action. **Choose only one:**

Prisoner Civil Rights ☐
Non-Prisoner Civil Rights ☐
Personal Injury/Tort ☐
Tax Collection Practices ☐
Employment Discrimination ☐
Other (specify) _____ ☐

FILED
BILLINGS DIV.

2009 JUN 11 AM 8 33

PATRICK E. DUFFY, CLERK

BY _____
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

Billings
(You must fill in this blank. See Instruction 6.)
Donald Keith Ferguson

DIVISION

Cause No. W-09-70-BLG-RFC-CSO
(to be filled in by Clerk of Court)

(Enter above the full name of each plaintiff, including prisoner number, if any.)

Plaintiffs,

vs.

The United States District Court,
Jack D. Shastrom, Patrick E.
Duffy, Roger McAncher, (Enter
above the full name of each defendant.)

Defendants.

COMPLAINT

Jury Trial Demanded ☐
Jury Trial Not Demanded ☐

INSTRUCTIONS

1. Use this form to file a civil complaint with the United States District Court for the District of Montana. You may attach additional pages where necessary.
2. Your complaint must include only counts/causes of action and facts – not legal arguments or citations.
3. Your complaint must be typed or legibly handwritten. All pleadings and other papers submitted for filing must be on 8 1/2" x 11" paper (letter size). Each plaintiff must sign the complaint (see page 6). The signatures need not be notarized. However, each signature must be an original and not a copy. You must pay the Clerk for copies of your complaint or other court records, even if you are proceeding in forma pauperis.
4. Until April 10, 2006, the filing fee for a complaint is \$250.00. Beginning on April 10, 2006, the filing fee for a complaint is \$350.00. The filing fee is set by Congress and cannot be changed by the Court. In addition, you will be required to pay the cost

Plaintiff's Last Name Ferguson

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of serving the complaint on each of the defendants. If you are unable to prepay the entire filing fee and service costs for this action, you may move to proceed in forma pauperis. ***Your complaint will be returned to you without filing if it is not accompanied by either the full filing fee or a motion to proceed in forma pauperis.*** Please note that prisoners proceeding in forma pauperis are required to pay the full filing fee in installments.

5. Complaints submitted by persons proceeding in forma pauperis and complaints submitted by prisoners suing a governmental entity or employee are reviewed by the Court before the defendants are required to answer. See 28 U.S.C. §§ 1915(e)(2), 1915A(a); 42 U.S.C. § 1997e(c). After the Court completes the review process, you will receive an Order explaining the findings and any further action you may or must take. The review process may take a few months; each case receives the judge's individual attention.

6. The case caption (page 1 of this form) must indicate the proper Division for filing. A Division where the alleged wrong(s) occurred is a proper Division. When you have completed your complaint, mail the *original* of your complaint and either the full filing fee or your motion to proceed in forma pauperis to the proper Division:

Billings Division: Clerk of U.S. District Court, 316 N. 26th, Room 5405, Billings, MT 59101
(Big Horn, Carbon, Carter, Custer, Dawson, Fallon, Garfield, Golden Valley, McCone, Musselshell, Park, Petroleum, Powder River, Prairie, Richland, Rosebud, Stillwater, Sweetgrass, Treasure, Wheatland, Wibaux or Yellowstone County)

Butte Division: Clerk of U.S. District Court, 400 N. Main St., Federal Bldg. Rm. 303, Butte, MT 59701 (Beaverhead, Deer Lodge, Gallatin, Madison, or Silver Bow County)

Great Falls Division: Clerk of U.S. District Court, 215 1st Ave. North, P.O. Box 2186, Great Falls, MT 59403 (Blaine, Cascade, Chouteau, Daniels, Fergus, Glacier, Hill, Judith Basin, Liberty, Phillips, Pondera, Roosevelt, Sheridan, Teton, Toole, or Valley County)

Helena Division: Clerk of U.S. District Court, Paul G. Hatfield Courthouse, 901 Front St., Ste 2100, Helena, MT 59626
(Broadwater, Jefferson, Lewis & Clark, Meagher, or Powell County)

Missoula Division: Clerk of the U.S. District Court, 201 E. Broadway, P.O. Box 8537, Missoula, MT 59807 (Flathead, Granite, Lake, Lincoln, Mineral, Missoula, Ravalli, or Sanders County)

COMPLAINT

I. PLACE OF CONFINEMENT:

A. Are you incarcerated? Yes ☒ No ☐ (if No, go to Part II)

B. If yes, where are you currently incarcerated? Carbon County & Yellowstone County

C. If any of the incidents giving rise to your complaint occurred in a different facility, list that facility:

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

A. Non-Prisoners

1. Does any cause of action alleged in this complaint require you to exhaust administrative remedies before filing in court? Yes ☒ No ☐

Don't Know ☐

Plaintiff's Last Name

FERGUSON

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2. If yes, have you exhausted your administrative remedies?

Yes ☒ No ☐

B. Prisoners (If you listed other institutions in I.C above, please answer for each institution).

1. Is there a grievance procedure in your current institution?

Yes ☒ No ☐

2. Did you file an administrative grievance based upon the same facts which form the basis of this lawsuit?

Yes ☒ No ☐

3. If you did not file an administrative grievance, explain why:

III. PARTIES TO CURRENT LAWSUIT

A. Name of Plaintiff

Mailing Address

Donald Keith Ferguson

Donald Keith Ferguson

292 Lower River Road, Franking Montana 59029

(Please use additional sheets of paper to provide the names and addresses of any additional plaintiffs.)

B. Defendant

The United States District Court is employed as

District Court
(Position and Title, if any)

at Billing's Division
(Institution/Organization)

Defendant Jack D. Shanstrom is employed as

Judge
(Position and Title, if any)

at Billing's Division
(Institution/Organization)

Defendant Patrick E. Duffy is employed as

Court Clerk
(Position and Title, if any)

at Billing's Division
(Institution/Organization)

Defendant Ryan M. Anchor is employed as

Assistant U.S. Attorney
(Position and Title, if any)

at Billing's Division
(Institution/Organization)

Defendant _____ is employed as

(Position and Title, if any)

at _____
(Institution/Organization)

(Please use additional sheets of paper to provide the same information about any additional defendants.)

IV. STATEMENT OF CLAIMS

A. Count I (State your cause of action, e.g., violation of civil rights):

Plaintiff's Last Name

FERGUSON

1. Supporting Facts (State, as briefly as possible, the facts of your case, including specific dates and locations. Do not give any legal arguments or cite cases or statutes.):

see Attached exhibits

2. Defendants Involved (List the name of each defendant you intend to name in this claim. Specifically describe how each defendant is personally involved and what they did or did not do):

see attached exhibits

If you have additional counts/causes of action, attach extra sheets. Set forth two paragraphs for each count, one consisting of Supporting Facts (following the directions under IV.A(1)), and one consisting of Defendants Involved (following the directions under IV.A(2)).

V. INJURY

How have you been injured by the actions of the defendant(s)? You must state as specifically as possible the actual injury you suffered from the actions of each individual defendant:

see attached exhibits

Plaintiff's Last Name

FELMSEN

VI. RELIEF

State briefly and precisely what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.

See attached exhibits

VII. PLAINTIFF'S DECLARATION

A. I understand that I must keep the Court informed of my current mailing address and that my failure to do so may result in dismissal of this Complaint without actual notice to me.

B. I declare under penalty of perjury that I am the plaintiff in the above action, that I have read the above complaint, and that the information I have set forth within it is true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621.

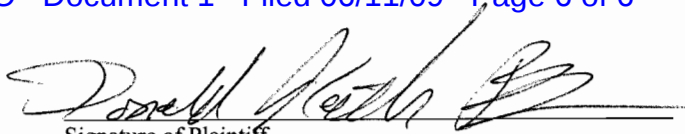
C. (Prisoners Only) This Complaint was deposited in the prison system for legal mail, postage prepaid or paid by the prison, on _____, 20____.

Executed at _____ on _____, 20____.
(Location) (Date)

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Signature of Plaintiff

(If there is more than one Plaintiff, each Plaintiff must sign the complaint using a separate declarations page).

Rev'd March 2006

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